

**Iowa Department of Natural Resources
Environmental Services
Report of WW By-passes**

During the period May 1, 2006 through May 30, 2006, 11 reports of wastewater by-passes were received. A general summary and count by field office is presented below. This does not include by-passes resulting from precipitation events.

Month	Total	Avg. Length (days)	Avg. Volume (MGD)	Sampling Required	Fish Kill
October '05	11(9)	0.672	0.691	3	0(0)
November '05	7(11)	0.167	0.045	2	0(0)
December '05	7(7)	0.028	0.010	2	0(0)
January '06	10(6)	0.441	0.002	2	0(0)
February '06	6(9)	0.238	0.006	2	0(0)
March '06	12(9)	0.155	0.026	1	0(0)
April '06	12(14)	0.073	0.134	2	0(0)
May '06	11(18)	0.135	0.004	3	0(0)
June '05	7(7)	0.262	0.068	0	0(0)
July '05	5(3)	0.454	0.004	3	0(0)
August '05	8(13)	0.072	0.019	3	0(0)
September '05	3(5)	0.361	0.003	0	0(0)

(numbers in parentheses for same period last year)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
2	0	2	1	4	2

IOWA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
RULEMAKING STATUS REPORT

June, 2006

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	ARC #	RULES REVIEW COMMITTEE	HEARING	PERIOD	COMMENT COMMISSION	FINAL SUMMARY TO ADOPTED	RULES PUBLISHED	RULES ARC #	COMMITTEE	RULES REVIEW EFFECTIVE	RULE
1. Ch. 20, 22, 31 and 33 – Air Quality Program Rules; PSD Rules	5/15/06	*6/07/06		*7/11/06	*7/10/06		*7/12/06	*8/21/06	*8/21/06	*9/13/06		*10/10/06	*10/18/06
2. Ch. 20, 21 and 34 – Adoption of Federal Clean Air Interstate Rule (CAIR)	12/19/05	1/18/06	4823B	2/07/06	2/27/06		2/21,22/06	5/15/06	5/15/06	*6/07/06		*7/11/06	*7/12/06
3. Ch. 22, 23 – Air Quality Program Rules – Updates, Revisions and Additions	3/20/06	4/12/06	5041B	5/09/06	5/12/06		5/16/06	6/19/06	*6/19/06	*7/19/06		*8/08/06	*8/23/06
4. Ch. 23, 25 and 34 – Adoption of Federal Clean Air Mercury Rule (CAMR)	12/19/05	1/18/06	4824B	2/07/06	2/27/06		2/21,22/06	5/15/06	5/15/06	*6/07/06		*7/11/06	*7/12/06
5. Ch. 50-54 – Water Use and Water Allocation Rules	2/20/06	3/15/06	4982B	4/10/06	4/05/06		4/12/06	5/15/06	5/15/06	*6/07/06		*7/11/06	*7/12/06
6. Ch. 64 – Fee Collection for Wastewater Permits	10/17/05	11/09/05	4652B	12/13/05	11/29, 30/05 12/01/05		12/02/05	6/19/06	*6/19/06	*7/19/06		*8/08/06	*8/23/06
7. Ch 65 – Designated Wetlands	11/21/05	12/21/05	4771B	1/10/06	1/19, 25, 26, 31/06		2/01/06	6/19/06	*6/19/06	*7/19/06		*8/08/06	*8/23/06
8. Ch. 65 – Evaluation, Denial of or Condition of Construction Permits or Disapproval or Modification of MMPs for Confinement Feeding Operations	1/17/06	2/15/06	4898B	3/07/06	3/7-10/06		3/10/06	6/19/06	*6/19/06	*7/19/06		*8/08/06	*8/23/06
9. Ch. 68 – Commercial Septic Tank Cleaners; Ch. 69 – Onsite Wastewater Treatment and Disposal Systems	3/20/06	4/12/06	5042B	5/09/06	5/3-4, 9, 10-11, 16/06		*5/17/06	*7/17/06	*7/17/06	*8/16/06		*9/06/06	*9/20/06
10. Ch. 105 – Organic Materials Composting Facilities	1/17/06	2/15/06	4893B	3/07/06	3/15/06		3/15/06	5/15/06	5/15/06	*6/06/06		*7/11/06	*7/12/06
11. Ch. 135 – Uniform Environmental Covenants Policy and Procedures	2/20/06	3/15/06	4983B	4/04/06	4/05/06		4/07/06	6/19/06	*6/19/06	*7/19/06		*8/08/06	*8/23/06
12. Ch. 144 – Household Hazardous Materials	12/19/05	1/18/06	4824B	2/07/06	2/08/06		2/08/06	4/17/06	4/17/06	5/10/06	5091B	NR	6/14/06

* Projected

DATE: June 1, 2006

TO: EPC

FROM: Ed Tormey

RE: Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and Field Office Number Date	Program	Alleged Violation	Action	
Midway Water & Lighting Co., Marion (1)	Drinking Water	Compliance Schedule; Public Notice	Consent Amendment	5/08/06
Schaller, City of (3)	Wastewater	Discharge Limits; Operational Violations	Consent Order Stip. Penalties	5/08/06
St. Ansgar, City of (2)	Wastewater	Operational Violations	Consent Order Stip. Penalties	5/08/06
Shell Rock Products, Inc. Shell Rock (2)	Drinking Water	Monitoring/Reporting – Bacteria, Nitrate; Public Notice	Consent Order \$500/\$1,000 SEP	5/12/06
Ernest John Smith; Smith Fertilizer and Grain Co. Knoxville (5)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Consent Order \$3,000	5/09/06
Puck Custom Enterprises Natural Pork Production Shelby Co. (4)	Animal Feeding Operation	Land Application Separation Distance	Recision of Admin. Order	5/12/06
James L. Heal; A-1 American; A-1 Imports, Homestead (6)	Wastewater Solid Waste	Stormwater – Operation Without Permit; Illegal Disposal	Admin. Order \$10,000	5/18/06
Rock Valley Rural Water, Rock Valley (3)	Drinking Water	Construction Without Permit	Consent Order \$8,000	5/23/06
Traer Municipal Utilities, Traer (5)	Air Quality	Construction Contrary to Permit	Consent Order \$2,250	5/23/06
Marvin Bates, Louisa Co. (6)	Wastewater Air Quality Solid Waste	Stormwater – Operation Without Permit; Open Burning; Illegal Disposal	Consent Amendment	5/30/06
Rex Wagner dba Star Video, Storm Lake (3)	Underground Tank	Registration	Consent Order \$6,000	5/30/06
Harvey Driesen, Rock Valley (3)	Animal Feeding Operation	Failure to Update Plan	Order/Penalty \$3,000	5/31/06

Name, Location and
Field Office Number

Program

Alleged Violation

Action

Date

**IOWA DEPARTMENT OF NATURAL RESOURCES
COMPLIANCE AND ENFORCEMENT BUREAU**

DATE: June 1, 2006
TO: Environmental Protection Commission
FROM: Ed Tormey
SUBJECT: Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Daryl & Karen Hollingsworth d/b/a Medora Store(Indianola)	UT	10,000	3-15-96
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Greg Morton; Brenda Hornyak (Decatur Co.)	SW/AQ/WW	3,000	11-04-98
Ray Stamper; Bryan Zenor (Polk Co.)	SW	2,000	12-12-98
Otter Creek Station (Dubuque Co.)	WS	325	3-04-99
Lindahl & Sons Salvage (Boone)	AQ/SW	10,000	11-29-00
R & R Ranch (Osceola)	WW	10,000	8-30-00
Alice Hillhouse; Hillhouse Real Estate Corp. (Denison)	UT	3,000	2-28-01
Teckenburg, Inc.; Jerry Teckenburg (Cedar Rapids)	UT	6,380	7-06-01
Donald and Marie Phillips (Milo)	WW	1,300	7-09-01
Keith Craig; The Farm (Council Bluffs)	UT	3,890	8-08-01
James Harter (Fairfield)	WW	1,800	8-01-01
Dennis Seversson d/b/a Huxley Dry Cleaners (Huxley)	AQ	4,500	8-01-01
Wisconsin North dba National Petroleum, Inc. (Clinton)	UT	5,000	8-04-01
# Troy DeGroote; Casey DeGroote (Butler Co.)	AFO/AQ/SW	242	3-08-02
Charlotte Caves (Oskaloosa)	HC	10,000	4-03-02
# Practical Pig Corporation (Clinton Co.)	AFO	2,000	5-26-02
Mobile World, L.C. (Camanche)	WW	2,000	5-27-02
M-F Real Estate; Fred "Butch" Levell (Carter Lake)	HC	1,701	8-18-02
Midway Oil Co.; David Requet (Davenport)	UT	5,355	9-20-02
Dale Schaffer (Union Co.)	AQ/SW	10,000	11-05-02
Wilbur McNear d/b/a McNear Oil Co. (Onawa)	UT	3,930	12-17-02
Jeff Reed d/b/a Reed's Service (Lenox)	UT	7,250	1-12-03
Allan Scott (Marion Co.)	SW/WW	1,150	1-15-03
U.S. Petro, Inc.; SSJG Petroleum; Sukhdev Singh	UT	32,690	2-28-03
Midway Oil Co.; David Requet; John Bliss	UT	44,900	2-28-03
Duane Crees (Muscataine Co.)	AQ/SW	963	3-01-03
Midway Oil Company (West Branch)	UT	7,300	5-03-03
Midway Oil Company (Davenport)	UT	5,790	5-03-03
Efren Valdez (Warren Co.)	SW	2,782	6-09-03
Mobile World LC (Clinton Co.)	SW	2,250	6-29-03
McMahon's Bar & Ballroom (Andover)	WS	500	8-08-03
Albert Miller (Kalona)	AQ/SW	10,000	9-26-03
* Jerry Feilen and Rick Bain (Pottawattamie Co.)	AQ/SW	2,458	12-15-03
Robert L. Nelson (Orient)	UT	657	12-26-03

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

Mark Anderson (Des Moines Co.)	AQ/SW	6,188	3-22-04
Mike Phillips aka Jeff Phillips (Cambridge)	AQ	5,000	3-27-04
Mike Messerschmidt (Martinsburg)	AQ/SW	500	4-13-04
Interchange Service Co., Inc., et.al. (Onawa)	WW	6,000	5-07-04
R. Victor Hanks; Mobile World L.C. (Camanche)	WW	10,000	5-23-04
Emer Carlson (Fairfield)	AQ	6,500	6-01-04
*Floyd Kroeze (Butler Co.)	AFO	1,500	6-01-04
Iowa Falls Evangelical Free Church (Iowa Falls)	WS	750	6-13-04
Mitchell Town Pump (Mitchell)	WS	2,080	6-16-04
# Dunphy Poultry (Union Co.)	AFO	1,500	6-27-04
Shane Preder (Ft. Madison)	AQ	750	7-12-04
James L. Heal d/b/a A-1 Domestic (Homestead)	SW/WW	1,800	7-16-04
Ranch Supper Club (Swisher)	WS	1,900	8-02-04
Ossian Agri Center, Inc. (Ossian)	WW/HC	931	8-02-04
# Phillip Renze; Doug Renze (Sac Co.)	AFO	2,000	8-03-04
*James Boller (Kalona)	AFO	4,304	8-19-04
# Cash Brewer (Cherokee Co.)	AFO/SW	10,000	8-25-04
Spillway Supper Club (Harpers Ferry)	WS	1,500	9-06-04
David Niklasen (Shelby Co.)	SW	100	9-11-04
# Doorenbos Poultry; Scott Doorenbos (Sioux Co.)	AFO	1,500	10-09-04
T & T Corner Bar (McIntire)	WS	3,000	10-26-04
Rock N Row Adventures (Eldora)	WS	3,000	10-23-04
# Jason Fox (Audubon Co.)	AFO	1,000	11-27-04
# Norm Cleveringa (Lyon Co.)	AFO	750	11-27-04
Americana Bowl (Ft. Madison)	WS	100	11-28-04
Howard Traver, Jr. (Cass Co.)	SW	3,000	12-14-04
Valley Country Café; NOO Investment Co. (Cass Co.)	WS	5,000	2-18-05
Denzel Edwards (Cass Co.)	AQ/SW/HC	500	3-01-05
Roquette America, Inc. (Keokuk)	WW	10,000	3-04-05
* Fran Oil Company (Council Bluffs)(3 Admin. Orders)	UT	4,300	4-09-05
# Mike Rausch; Justin Rausch (O'Brien Co.)	AFO	2,000	4-02-05
Virgil Ehlers; Ehlers Oil Co. (Soldier)	UT	8,040	4-23-05
ARC Communities 8 LLC; Sunrise MHP (Newton)	WW	2,000	4-23-05
Harold Linnaberry (Clinton Co.)	SW	1,000	5-18-05
#Dennis VanDerWeide (Sioux Co.)	AFO	500	6-01-05
* Country Stores of Carroll, Ltd. (Carroll)	UT	1,658	6-06-05
Mehmert Tiling, Inc. (Cresco)	UT	8,849	6-10-05
Elery Fry; Allen Fry; Mel Fry; Ron Fry (Moravia)	SW	10,000	6-20-05
Fedler and Company; Tony Fedler (Mt. Pleasant)	HC	3,670	6-25-05
David Carlisle (Ringgold Co.)	SW	3,500	7-23-05
# Matt Hoffman (Plymouth Co.)	AFO	750	8-08-05
# Sunray Pork, Ltd.; Tweedie Finisher Farm (Pocahontas Co.)	AFO	3,000	12-06-05
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	8,500	12-29-05
Vernon Kinsinger (Washington Co)	SW	3,930	12-31-05
* Paul Shimp & S & V Fence Co. (Eldridge) (\$950/SEP)	AQ	550	1-16-06
Iowa Regional Utilities Assoc.	WS	8,400	1-19-06
# Joel McNeil (Kossuth Co.)	AFO	2,500	1-21-06
# Dale Schumann (Buena Vista Co.)	AFO	4,000	1-29-06
Carl Cliburn (Wapello Co.)	AQ/SW	3,500	2-03-06
TOMA Properties, LLC (Washington)	WS	1,000	2-17-06
* John Danker (Lee Co.)	AQ/SW	4,440	2-22-06
Robert Plendl; Plendl Brothers Trucking (Kingsley)	UT	3,000	2-25-06
Anamosa, City of	WW	4,500	3-17-06
#*Randy Hauan (Winnebago Co.)	AFO	1,092	4-03-06

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

Larry Bergen (Worth Co.)	AQ/SW	2,000	4-28-06
Affordable Asbestos Removal, Inc. (Monticello)	AQ	7,000	4-28-06
*Richard Beelner; Beelner 1 and 2 (Plymouth Co.)	AFO	1,500	5-01-06
*Paul Rehder (O'Brien Co.)	AFO	1,875	5-01-06
* Dennis Gailey (Moorland)	AQ/SW	2,200	5-01-06
Jeff Albrecht (Humboldt Co.)	AQ	500	5-06-06
Edward Branstad; Jordan Branstad (Winnebago Co.)	AQ/SW	8,000	5-10-06
# Bruce and Jill Rewoldt (Hardin Co.)	AFO	8,000	5-17-06
CRM Enterprises; Envirobest, Inc. (Iowa City)	AQ	7,000	5-21-06
V. A. Enterprises, Inc. (Williamsburg)	WW	2,000	5-26-06
* Dan Waterman; Waterman Backhoe; Waterman Septic (Maurice)	WW	1,000	6-01-06
* Curt Kline; Connie Kline (Dunlap)	AQ	3,000	6-01-06
* Country Terrace Mobile Home Park (Ames)	WW	1,900	6-01-06
*Rick Nikkel (Jasper Co.)	AFO	2,250	6-01-06
*Galen Drent (Boyden)	AFO	3,004	6-01-06
* Crestview Mobile Home Park (Ames)	WW	4,000	6-01-06
*Rick Halma (Lyon Co.)	AFO	2,400	6-01-06
Ernest J. Smith; Smith Fertilizer & Grain (Knoxville)	AQ/SW	3,000	6-09-06
West Central Cooperative (Ralston)	WW	3,000	6-12-06
*Gary R. Johnson (Allamakee Co.)	AFO	1,000	6-15-06
* Fred Miller; Earthworks Contracting (Quimby)	AQ	9,152	6-15-06
Point Builders LLC; Steve Crawford (Mason City)	WW	2,000	6-16-06
James L. Heal; A-1 Imports (Homestead)	WW/SW	10,000	6-18-06
* Midway Water & Lighting Co., Inc. (Marion)	WS	2,400	6-20-06
*Greg Gerber (Lyon Co.)	AFO	375	6-21-06
*E & N Farms, Ltd. (Lyon Co.)	AFO	2,000	7-01-06
*John Kajewski (Cylinder)	AFO	750	7-01-06
* Wayne Staab (Plymouth Co.)	AQ	750	7-01-06
*Randy Gergen; R & D Farms (Sioux Co.)	AFO	2,625	7-15-06
*Dennis Kuehl (Cass Co.)	AFO	1,500	10-15-06
Environ. Egg Production; Iowa Ag Excavating (Wright Co.)	WW	5,000	-----
Green Valley Mobile Home Park (Mt. Pleasant)	WW	5,000	-----
Rock Valley Rural Water System	WS	8,000	-----
Traer Municipal Utilities	AQ	2,250	-----
Rex Wagener dba Star Video (Storm Lake)	UT	6,000	-----
# Harvey Driesen (Sioux Co.)	AFO	3,000	-----
TOTAL		543,833	

The following cases have been referred to the Attorney General:

Long Branch Tavern (Monmouth)	WS	100
Long Branch Tavern (Monmouth)	WS	6,400
Long Branch Tavern (Monmouth)	WS	200
The Universal Assembly of Christians; Marsha Leigh	AQ/SW	10,000
Pat Kelly d/b/a Kelly Construction (Denison)	UT	1,860
Roger Ginger d/b/a L & L Standard (Everly)	UT	5,750
# Jim Dos (Black Hawk Co.)	AFO	3,000
# Travis Aldag (Ida Co.)	AFO	3,000
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	7,300
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	6,000
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070
Relative, Inc.; Doug Smuck (Des Moines)	UT	600
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000
Randy Ballard (Fayette Co.)	FP	2,000

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#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

Edward Bodensteiner (Des Moines)	UT	3,200
Hofer's Danceland Ballroom (Walford)	WS	3,200
James LaFollette d/b/a Jim's Tree Service; Kurt Douglas (Marion Co.)	AQ/SW	2,000
Russell Zook d/b/a Haskin's Recycling (Washington Co.)	AQ/SW	5,000
#*Harold Unternahrer (Washington Co.)	AFO	700
Hofer's Danceland Ballroom (Walford)	WS	100
Phillips Recycling; Jeff Phillips (Story Co.)	WW	1,800
Jim Walker (Johnson Co.)	AQ/SW	3,000
Iowa Millenium Investors, LLC (Sumner)	UT	4,000
Jim Ledenbach d/b/a Paper Recovery Company (Cedar Rapids)	SW	5,000
Organic Technologies Corp.; Tim Danley; Ken Renfro (Warren Co.)	SW/WW	10,000
Plain Salvage Inc. (Sac City)	AQ/SW	10,000
Wisconsin North dba National Petroleum (Clinton)	UT	2,840
Bee Rite Tire Disposal; Jerry Yeomens (Marshall Co.)	SW	10,000
Marvin Oberly (Burlington)	WW	1,300
Mark Buringrud fdbs Carpenter Bar & Grill (Carpenter)	WS	2,500
Richard Davis (Monroe Co.)	AQ	8,000
Honey Creek Campground (Crescent)	WS	1,000
Ryan Barton; Theresa Barton (Kellerton)	AQ/SW	1,000
Mobile World LC (Camanche)	AQ/SW	10,000
Oran Pub & Grill (Fairbank)	WS	100
M.A., Inc.; Spring Grove Mobile Home Park (Burlington)	WW	7,000
M.A., Inc.; Westside Park for Mobile Homes (Lee Co.)	WW	7,000
John Jolin; Michael Kolbold (Sioux City)	UT	5,260
Dave Paplow (Indianola)	AQ/SW	5,000
Meadow Mist Motel (Fayette Co.)	WS	500
Park View Motel (Oelwein)	WS	750
Plantation Village Mobile Home Park (Burlington)	WS	500
# Dean Pedersen (Pocahontas Co.)	AFO	450
TOTAL		164,480

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Dallas County Care Facility (Adel)	WW	2,500
Gerald and Judith Vens (Scott Co.)	FP	5,000
# Iowa Select Farms, L.P.; AG Waste Consultants (Hamilton Co.)	AFO	3,000
# Dan Witt (Clinton Co.)	AFO	3,000
Dallas County Care Facility (Adel)	WW	5,000
Kevin Wallerich (Keota)	SW/WW	500
# Doug Wedemeyer (Adair Co.)	AFO	2,500
Mt. Pleasant, City of	WW	500
# Kenneth Dahlhauser (Whittemore)	AFO	2,500
Stanley Siems (Hardin Co.)	AQ/SW	10,000
Schell Family Partnership (Boone Co.)	HC/SW	5,000
Chelsea, City of	WW	3,000
# Doug Osweiler (South English)	AFO	5,000
# Ray Slach (Cedar Co.)	AFO	3,000
# Iowa Select Farms, LP; Swartz Finisher Farm (Hardin Co.)	AFO	500
# Natural Pork Production, II LLC (Shelby Co.)	AFO	5,000
Roger Eblen; Eblen Develop.; Duane Menke;		

*Payment Schedule

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(Whispering Woods - Council Bluffs)	WW	10,000
# Iowa Select Farms, L.P.; Kerrigan Facility (Union Co.)	AFO	1,000
# D & D Ag Enterprises, LLC (Union Co.)	AFO	2,000
# Iowa Select Farms, Inc.; Clarke Sow (Clarke/Union Co.)	AFO	5,000
# Southern Waste Handling, Inc. (Mr. Ayr)	AFO	7,000
Country Living MHP (Altoona)	WW	5,000
Strawberry Point, City of	WW	10,000
B & H Food & Gas, Inc. (Davenport)	UT	10,000
U.S. Nation Mart, Inc. (Davenport)	UT	10,000
Tegh, Inc. (Bettendorf)	UT	8,500
# Jeff Holland (Winnebago Co.)	AFO	5,500
Pocahontas, City of	WW	5,000
# T. Patrick and Laurie Cashman (Deep River)	AFO	750
# Bob Kerrigan (Union Co.)	AFO	750
Carpenter Bar & Grill (Carpenter)	WS	10,000
# Swine USA; Davis Finishing Site (Clarke Co.)	AFO	750
# Gettler Dairy (Guthrie Co.)	AFO	5,000
Iowa Ethanol, LLC; Reilly Construction Co. (Worth Co.)	WW	10,000
Broin & Assoc., Inc.; Iowa Ethanol, LLC (Worth Co.)	WS/WW	10,000
Broin & Assoc., Inc.; Otter Creek Ethanol (Osceola Co.)	WW	10,000
# Tim Trostel (Butler Co.)	AFO	2,000
# James Axtell (Hardin Co.)	AFO	500
Iowa Falls, City of	WW	10,000
LeMars, City of	WW	9,000
Ben Haven Mobile Home Park (Quasqueton)	WS	3,000
Alton, City of	FP	5,000
# Jansma Cattle Co., Inc. (Lyon Co.)	AFO	10,000
# Phillip Renze; Doug Renze (Sac Co.)	AFO	2,000
# Michael Veenstra; Allan Veenstra (Mahaska Co.)	AFO	5,000
# Robin Hewer (Clinton Co.)	AFO	3,000
Marvin Bates (Iowa Co.)	AQ/SW/WW	10,000
# Dennis Rowenhorst (Sioux Co.)	AFO	3,000
F. J. Krob & Co. (Walker)	WW/HC	10,000
Fairwinds Corp.; Envirobate Mgmt. (Urbandale)	AQ	10,000
Gary Hart (Clinton)	AQ/SW	4,250
Cedar Rapids, City of	WW	5,000
Goose Lake, City of	WS	1,000
# Monty Unkrich (Jefferson Co.)	AFO	3,000
# Mike Elsbernd (Winneshiek Co.)	AFO	3,000
Leland Heisdorffer (Keokuk Co.)	AQ/SW/WW	10,000
# Ted T. Smith (Buena Vista Co.)	AFO	3,000
# Natural Pork Production II, LLC (Shelby Co.)	AFO	300
# Jerry Vander Platts (O'Brien Co.)	AFO	3,000
S. J. Louis Construction, Inc. (Pleasant Hill)	WW	5,000
MKKS, LLC (Urbandale)	UT	4,600
MKKS, LLC (Windsor Heights)	UT	6,500
MKKS, LLC (West Des Moines)	UT	4,600
Monty Branstad (Winnebago Co.)	AQ/SW	8,000
Pleasant Hill, City of	WW	10,000
Lawler, City of	WW	3,000
Honey Creek Campground (Pottawattamie Co.)	WW	1,000
Peeters Development Co.; Mt. Joy MHP (Scott Co.)	WW	10,000
Randy Griffin (Jasper Co.)	AQ/SW	5,000
Hoover Land Corp.; River Road Golf Club (Algona)	WS	1,375

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

Colleen Weber (Mitchell Co.)	AQ/SW	1,500
Dirk Graves (Glenwood)	AQ	1,000
Ruby Field, Inc.; Ed Grafke (Sigourney)	UT	5,112
Goettsch Trucking and Seed, Inc. (Galva)	HC	5,500
Reginald Parcel (Henry Co.)	AQ/SW	1,000
Iowa Quality Beef Supply Cooperative (Tama)	WW	10,000
# Douglas J. Pudenz (Carroll Co.)	AFO	8,000
# Scott Lenz (Carroll Co.)	AFO	8,000
Jack and Mary Hemmingson; Gold Key Motel (Hampton)	WS	5,215
# Maridale Farms, LLC dba Wirtjers Finisher Farm (Sac Co.)	AFO	3,000
# Larry Krogman (Lyon Co.)	AFO	3,000
# Alan Bakker (Sioux Co.)	AFO	6,000
TOTAL		413,702

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
# William Mauw; Mauw's Egg Ranch (Sioux Co.)	AFO	3,000
#*Richard Beelner; Beelner 1 and 2 (Plymouth Co.)	AFO	100
# Rick Halma (Lyon Co.)	AFO	300
Shell Rock Products (Milford)	WS	500
* Crestview Mobile Home Park (Ames)	WW	250
#*Tony Mertens (Mt. Pleasant)	AFO	666
#*Rick Nikkel (Jasper Co.)	AFO	250
#*Galen Drent (Boyden)	AFO	166
Edward Rasch; Easter Enterprises, Inc. (Norwalk)	UT	1,000
* Fred Miller; Earthworks Contracting (Quimby)	AQ	416
* Midway Water & Lighting Co., Inc. (Marion)	WS	100
#*Greg Gerber (Lyon Co.)	AFO	250
Dan Waterman; Waterman Backhoe; Waterman Septic (Maurice)	WW	1,000
#*E & N Farms, Ltd. (Lyon Co.)	AFO	200
IPSCO Steel, Inc. (Muscatine)	AQ	1,000
* Country Terrace Mobile Home Park (Ames)	WW	110
#*Gary R. Johnson (Allamakee Co.)	AFO	500
# Tim Kamstra (O'Brien Co.)	AFO	2,250
Mehmert Tiling, Inc. (Cresco) (Offset)	UT	1,151
Spencer Municipal Hospital (Spencer)	AQ	4,450
TOTAL		17,660

The following penalties were collected by Revenue during the Month of May.

Affordable Asbestos Removal, Inc.; Jeffry Intlekofer (Ft. Madison) PAID IN FULL	AQ	3,100
Ranch Supper Club (Swisher)	WS	100
John Jolin; Michael Kolbold (Sioux City)	UT	500
Ossian Agri Center, Inc. (Ossian)	WW/HC	319.29
* Jerry Feilen and Rick Bain (Pottawattamie Co.)	AQ/SW	225
Shane Preder (Ft. Madison)	AQ	68.20
Robert L. Nelson (Orient)	UT	206
#*James Boller (Kalona)	AFO	12.82

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

Shane Preder (Ft. Madison)	AQ	181.65
Ossian Agri Center, Inc. (Ossian)	WW/HC	750
* Piper Motor Co.; Bruce Piper d/b/a Super Clean Car Wash	WW	2,425
Robert L. Nelson (Orient)	UT	14.74
TOTAL MONIES RECEIVED IN MAY		25,561

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
June 1, 2006**

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Aldag, Travis Ida Co. (3)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred Petition Filed Answer Filed	7/18/05 11/29/05 12/01/05
Boyer, William Boyer's Sand & Rock Hawarden (3) UPDATED	Underground Tank	UST Closure	Order/Penalty	Referred Petition Filed Answer Filed Consent Decree (\$3,000/Civil; Injunction)	7/18/05 12/07/05 12/23/05 5/08/06
CDI, LLC Forest City (2) UPDATED	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed Consent Decree (\$141,200/Civil; Injunction)	4/28/05 5/25/06 5/30/06
Clinton, City of (6)	Wastewater	Compliance Schedule; Discharge Limits	Referred to Attorney General	Referred	9/19/05
Dos, Jim Black Hawk Co. (1)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred Petition Filed Answer Filed Trial Date	7/18/05 11/29/05 12/28/05 11/06/06
Farmers Co-Operative Society Sioux Center (3)	Animal Feeding Operation	Discharge Limits; Prohibited Discharge – Confinement/Open Feedlot; Land Application Separation Distance; Failure to Report a Release; WQ Violations – General Criteria	Referred to Attorney General	Referred	3/20/06
Ginger, Roger Everly (3) UPDATED	Underground Tank	UST Closure	Order/Penalty	Referred Petition Filed Answer Filed Motion for Partial Summary Judgment Consent Decree (Injunction)	5/15/05 12/07/05 11/25/05 3/20/06 5/26/06
Grain Processing Corp. Muscatine (6)	Air Quality	Emission Standards	Referred to Attorney General	Referred	2/21/05
Kruse Dairy Farm, Inc. Dyersville (1)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred	12/19/05
Landfill of Des Moines #4 Des Moines (5)	Solid Waste	Operation Permit Violations – Other	Referred to Attorney General	Referred	4/17/06

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
June 1, 2006**

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Leigh, Marsha Glenwood (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed Defendant's Motion to Dismiss State's Resistance/Motion to Dismiss Motion to Intervene Hearing on Motion to Dismiss Ruling Denying Motion to Dismiss Resistance to Motion to Intervene Hearing on Motion to Intervene Ruling Denying Motion to Intervene Hearing on Defense Motions	9/20/04 3/29/05 4/20/05 5/02/05 5/12/05 5/23/05 5/23/05 5/23/05 6/27/05 6/29/05 12/05/05
Mobile World LC Camanche (6) UPDATED	Air Quality Solid Waste	Illegal Disposal Open Burning	Order/Penalty	Referred Petition Filed Bankruptcy Petition Filed Plan for Reorganization Appearance by State in Bankruptcy Notice of Intent to Seek Default Appearance by Defendant Trial Date	8/16/04 4/08/05 4/13/05 4/13/05 6/17/05 3/03/06 3/08/06 11/19/06
Moellers, Kenneth Cresco (1)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot; Failure to Report a Release; WQ Violations – General Criteria	Referred to AG	Referred	2/20/06
Northeast Iowa Citizens for Clean Water (NICCW)	Wastewater	DNR Defendant	Defense	Petition Filed DNR's Answer NICCW's Application for Stay NICCW's Brief for Stay DNR's Resistance DNR's Brief in Resistance Hearing on Motion Ruling Denying Stay NICCW's Motion to Reconsider DNR's Resistance Hearing on Motion to Reconsider Ruling Denying Motion to Reconsider NICCW's Application for Interlocutory Appeal DNR's Resistance to Interlocutory Appeal Supreme Court Order Denying NICCW's Appeal NICCW's Motion for Summary Judgment Trial Date State's Brief in Resistance to Motion for Partial Summary Judgment Hearing on Motion for Partial Summary Judgment Ruling Granting Partial Summary Judgment Agriprocessor's Variance Application IDNR's Variance Approval	8/29/03 9/25/03 10/21/03 10/21/03 11/05/03 11/14/03 12/22/03 1/29/04 2/04/04 3/01/04 4/08/04 4/20/04 4/28/04 5/11/04 6/08/04 2/25/05 2/27/06 5/16/05 6/02/05 6/22/05 11/04/05 11/30/05

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
June 1, 2006**

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
				EPC's Review of Variances	12/19/05
				Draft NPDES Permit Amendment	2/22/06
				Public Hearing Date	3/28/06
Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Warren Co. (5)	Solid Waste	Permit Violations	Referred to Attorney General	Referred Petition Filed Application for Temporary Injunction Temporary Injunction Trial Date Partial Judgment (Clean-up Order) Contempt Application Contempt Hearing Date Contempt Finding and Civil Penalty (\$100,000 and 30 Days in Jail – Suspended until 7/8/03) Hearing Regarding Contempt Order Regarding Bond/Cleanup Deadline Bond Posted State Objections to Bond Ruling Denying Objections to Bond Status Hearing Date Hearing on Motion to Extend Cleanup Deadline Order Reinstating \$100,000 Civil Penalty	12/15/97 10/02/98 2/04/99 4/19/99 9/13/00 9/28/00 12/12/02 2/20/03 2/20/03 7/09/03 8/01/03 8/01/03 8/20/03 9/18/03 4/16/04 12/10/04 1/05/05
Pedersen, Dean Laurens (3)	Animal Feeding Operation	Failure to Update Plan	Referred to Attorney General	Referred	4/17/06
Peterson, David Lake Mills (2)	Animal Feeding Operation	Application in Excess of Crop Usage Rate; Prohibited Discharge – Confinement; Failure to Report a Release; WQ Violations – General Criteria	Referred to Attorney General	Referred	11/21/05
Plymouth Dairy Farms Plymouth Co. (3)	Animal Feeding Operation	Prohibited Discharge – Confinement; Record Keeping; Application in Excess of Crop Usage Rate; Freeboard	Referred to Attorney General	Referred Petition Filed	9/19/05 1/10/06
Robertson, Ryan Jefferson Co. (6)	Wastewater	Stormwater Permit Violations	Referred to Attorney General	Referred Petition Filed Trial Date	4/27/05 9/26/05 8/30/06

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
June 1, 2006**

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Roney, Jerry Huxley (5)	Underground Tank	Site Assessment	Order	Referred Petition Filed Application for Default Order Granting Default Motion to Set Aside Default Order Setting Aside Default Trial Date	5/16/05 12/08/05 1/13/06 1/31/06 2/17/06 3/14/06 6/08/06
Roquette America Keokuk (6)	Air Quality	DNR Defendant	Defense	Petition Filed DNR's Answer DNR's Resistance to Temporary Injunction Hearing on Temporary Injunction DNR's Brief in Resistance Roquette's Brief Ruling on Temporary Injunction Trial Scheduling Conference Trial Date Motion for Continuance Order Granting Continuance Trial Date	8/28/03 9/11/03 9/11/03 9/11/03 9/29/03 9/30/03 1/14/04 1/06/05 10/24/05 6/29/05 6/29/05 4/24/06
Schoenberr, R. B. d/b/a Long Branch Tavern Monmouth (1)	Drinking Water	Permit Renewal	Orders/Penalties	Referred Court Order Re-Referred Petition Filed Application for Contempt Contempt Hearing Order for Contempt (\$3,000 fine) Arrest Warrant Issued Contempt/Temporary Injunction Hearing Temporary Injunction Granted Contempt Hearing Date Contempt Hearing Order Finding Defendant in Contempt \$3,000 Fine Amended Petition	6/20/97 12/09/98 11/21/02 3/11/05 3/11/05 4/01/05 8/05/05 4/01/05 5/03/05 5/03/05 7/06/05 8/05/05 8/05/05 1/31/06
Simpson, Barry Worth Co.	Animal Feeding Operation	DNR Defendant	Defense	Petition Filed Answer Filed	10/18/04 11/04/04
SK Food & Fuel Davenport (6) UPDATED UST 8606991/1511 Locust	Underground Tank	UST System Deficiencies; Site Check	Referred to Attorney General	Referred Petition Filed Consent Decree (10,000/Civil; Injunction)	7/18/05 12/07/05 5/18/06

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
June 1, 2006**

Name, Location and Region Number		Program	Alleged Violation	DNR Action	New or Updated Status	Date
Stone v. Rembrand Enterprises, Inc. UPDATED		Animal Feeding Operation	DNR Defendant	Defense	Petition Filed State Motion to Dismiss Hearing Ruling Dismissing Damage Claims State's Motion for Summary Judgment Order Granting Continuance Hearing on Summary Judgment	12/06/04 1/10/05 3/07/05 5/17/05 2/27/06 3/20/06 5/01/06
Williams, Dean Stuart (2) UPDATED		Underground Tank	Remedial Action	Referred to Attorney General	Referred Petition Filed Answer Filed Motion for Partial Summary Judgment	10/17/05 12/08/05 12/23/05 6/05/06

Environmental Services Division Variance Report

6/6/2006

Monthly Variance Report May 2006						
Item No.	Facility/City	Program	DNR Reviewer	Subject	Decision	Date
1	City of Inwood	Waste Water	Larry Bryant	Detention Time & Pond Influent Piping - Lagoons	Approved	4/21/2006
2	Great River Tederal Waste Authority	Solid Waste	Alex Moon	Final Cover Construction	Approved	5/1/2006
3	Koch Nitrogen Company	Air Quality	Rachel Quill	Two Temporary Flares	Approved	5/5/2006
4	Lanthrop CREP Wetland Structure	Dam Safety	Dave Allen	Cam Design Freeboard	Approved	5/4/2006
5	Metro Waste Authority	Solid Waste	Chad Stobbe	Waste Product Disposal	Approved	5/8/2006
6	Northern Natural Gas	Air Quality	Rachel Quill	Temporary Air Compressor	Approved	5/8/2006
7	City of Clear Lake	Waste Water	Satya Chennupati	Sewer Grade	Approved	5/10/2006
8	Kinze Manufacturing Inc.	Water Supply	Roy Ney	Well Installation Procedures	Approved	5/10/2006
9	TD Development, LLC	Water Supply	Diana Overstake	Non-ASME pressure tanks	Approved	5/10/2006
10	Lennox Manufacturing Inc.	Air Quality	Rachel Quill	Pre-construction	Approved	5/11/2006
11	City of Mason City	Waste Water	Satya Chennupati	Sewer Grade	Approved	5/23/2006
12	City of Council Bluffs	Waste Water	Satya Chennupati	Sewer Grade	Approved	5/23/2006
13	City of Thayer	Waste Water	Satya Chennupati	Two Cell Lagoon, Influent Pipe Discharge & Pond Influent Piping - Lagoons	Approved	5/23/2006
14	City of Gravity WWTF	Waste Water	Larry Bryant	Pumping - Valve Pit	Denied	5/23/2006
15	City of Gravity WWTF	Waste Water	Larry Bryant	Check Valve Location	Approved	5/23/2006
16	Midwest Grain Processors, LLC	Air Quality	Rachel Quill	Temporary Operation without Control	Approved	5/23/2006
17	City of Osterdock	Dam Safety	Asia Azam	Bridge Design Freeboard	Approved	5/25/2006

Iowa Department of Natural Resources Environmental Services Division Report of Hazardous Conditions

During the period May 1, 2006, through May 30, 2006, 49 reports of hazardous conditions were forwarded to the central office. A general summary and count by field office is presented below. This does not include releases from underground storage tanks, which are reported separately.

Month	Total Incidents	Substance				Mode				
		Agri-chemical	Petroleum Products	Other Chemicals	Transport	Fixed Facility	Pipeline	Railroad	Fire	Other*
October	48 (52)	6 (2)	29 (29)	13 (21)	13 (17)	28 (27)	0 (2)	2 (2)	1 (0)	4 (4)
November	55 (68)	10 (14)	35 (33)	10 (20)	16 (21)	28 (34)	0 (1)	3 (2)	1 (0)	7 (10)
December	51 (58)	5 (8)	32 (34)	14 (16)	18 (19)	29 (29)	2 (3)	1 (2)	0 (0)	1 (5)
January	62 (58)	4 (6)	35 (36)	23 (16)	18 (20)	32 (28)	0 (1)	1 (1)	0 (1)	11 (7)
February	49 (46)	2 (4)	36 (25)	11 (17)	10 (12)	35 (24)	1 (4)	2 (2)	0 (1)	1 (3)
March	54 (70)	2 (11)	40 (43)	12 (16)	16 (25)	29 (33)	2 (1)	2 (1)	0 (3)	5 (7)
April	93 (102)	31 (35)	39 (46)	23 (21)	24 (32)	55 (51)	1 (2)	3 (3)	1 (3)	9 (11)
May	49 (60)	14 (20)	28 (29)	7 (11)	21 (23)	23 (29)	1 (1)	1 (3)	1 (0)	2 (4)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Total	461 (514)	74 (100)	274 (275)	113 (138)	136 (169)	259 (255)	7 (15)	15 (16)	4 (8)	40 (51)

(numbers in parentheses for same period last year)

*Other includes dumping, theft, vandalism and unknown

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
5	7	10	1	12	14

Iowa Department of Natural Resources

Environmental Services Division

Report of Manure Releases

During the period May 1, 2006, through May 30, 2006, 6 reports of manure releases were forwarded to the central office. A general summary and count by field office is presented below.

Month	Total Incidents	Feedlot	Confinement	Land Application	Transport	Hog	Cattle	Fowl	Other	Surface Water Impacts
October	13 (15)	1 (0)	2 (6)	1 (6)	9 (3)	12 (13)	1 (2)	0 (0)	0 (0)	1 (2)
November	8 (9)	0 (2)	1 (4)	3 (1)	4 (2)	6 (6)	2 (2)	0 (0)	0 (1)	1 (1)
December	2 (2)	0 (0)	1 (2)	0 (0)	1 (0)	0 (2)	2 (0)	0 (0)	0 (0)	0 (0)
January	3 (0)	0 (0)	2 (0)	1 (0)	0 (0)	1 (0)	2 (0)	0 (0)	0 (0)	0 (0)
February	2 (1)	0 (0)	1 (0)	0 (0)	1 (1)	1 (0)	1 (0)	0 (1)	0 (0)	0 (0)
March	2 (1)	1 (0)	1 (1)	0 (0)	0 (0)	0 (0)	2 (1)	0 (0)	0 (0)	2 (1)
April	6 (6)	0 (0)	2 (2)	2 (1)	2 (3)	6 (5)	0 (1)	0 (0)	0 (0)	1 (0)
May	6 (3)	0 (1)	3 (1)	3 (0)	0 (1)	5 (2)	1 (1)	0 (0)	0 (0)	0 (0)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Total	42 (37)	2 (3)	13 (16)	10 (8)	17 (10)	31 (28)	11 (7)	0 (1)	0 (1)	5 (4)

(numbers in parentheses for the same period last year)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
1	1	4	0	0	0

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

June, 2006

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
4/26/99	Gerald and Judith Vens	6	Order/Penalty	FP	Clark	9/20/04 – DNR staff gathering information to submit to DNR management.
12/01/99 12/08/99	Iowa Select Farms, L.P./AG Waste Consultants, Inc.	2	Order/Penalty	AFO	Clark	4/20/04 – ISF and Dept. attorneys unsuccessful attempt to contact AG Wastes Consultants attorney.
7/13/00	Dan Witt	6	Order/Penalty	AFO	Clark	4/26/04 – Settlement invitation letter sent.
10/02/01	Daryl Larson	6	Order	AFO	Clark	Negotiating before filing.
11/27/01	Dallas County Care Facility	5	Order/Penalty	WW	Hansen	10/03 – Letter to County attorney regarding appeal resolution. 1/04 – Letter to attorney regarding appeal. 4/04 – Dept. letter to attorney regarding appeal. 9/04 – Dept. letter to attorney regarding appeal.
1/23/02	Clearview Mobile Home Park	6	Permit Conditions	WW	Hansen	10/31/02 – Construction permit issued for improvement to lagoon system. 10/31/03 – Update on construction project requested from Dept. engineer. 1/30/04 – Status report requested from Dept. staff. 2/24/04 – Letter sent to attorney regarding resolving appeal. 3/15/04 – Letter from facility attorney regarding proposed upgrade with sand filters. 4/26/04 – Dept. letter to MHP attorney requesting construction schedule for project. 5/17/04 – Letter from MHP attorney with new schedule.
7/18/02	Mt. Pleasant, City of	6	Order/Penalty	WW	Hansen	\$500 penalty payment received for uncontested portion. 12/03 – Dept. letter with settlement offer. 1/30/04 – Dept. letter sent regarding settlement. 2/24/04 & 3/31/04 – Follow-up letters sent regarding settlement. 4/26/04 – Letter received from City attorney regarding Dept. settlement proposal.
7/23/02	Doug Wedemeyer	4	Order/Penalty	AFO	Clark*	4/30/04 – DNR letter sent.
8/25/02	Kenneth Dahlhauser	2	Order/Penalty	AFO	Clark	3/1/04 – Appellant's attorney agrees to send another settlement letter to client.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
June, 2006**

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
10/01/02	Stan Siems	2	Order/Penalty	AQ/SW	Tack	Default judgement entered 4/12/06.
11/22/02	Schell Family Partnership	5	Order/Penalty	SW/HC	Tack	Follow-up letter sent 4/17/06. Working through Brownsfields process.
11/27/02	Chelsea, City of	5	Order/Penalty	WW	Hansen*	9/18/03 – DNR letter. Will monitor for compliance through winter of 2004.
2/10/03	Doug Osweiler	6	Order/Penalty	AFO	Clark	Negotiating before filing.
2/24/03	Ray Slach	6	Order/Penalty	AFO	Clark	4/29/04 – Settlement invitation letter sent.
3/04/03	Iowa Select Farms; Swartz Finisher Farm	2	Order/Penalty	AFO	Clark	5/28/04 – Dept. makes counter offer in response to appellant's settlement offer. 6/15/04 – Second round of offers.
4/04/03	Natural Pork Production II, LLP (03-AFO-13)	6	Order/Penalty	AFO	Clark*	1/02/04 – DNR letter.
4/25/03	Ag Processing Inc.	2	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
6/23/03	Iowa Select Farms, L.P.; Iowa Select Farms, Inc. (Kerrigan Gilt/Union Co.)	5	Order/Penalty	AFO	Clark	Negotiating before filing.
6/23/03	D & D Ag Enterprises LLC	4	Order/Penalty	AFO	Clark	Negotiating before filing.
7/10/03	Iowa Select Farms, L.P.; Iowa Select Farms, Inc. (Clarke/Union)	5	Order/Penalty	AFO	Clark	Negotiating before filing.
8/12/03	Southern Waste Handling, Inc.	5	Order/Penalty	AFO	Clark	Negotiating before filing.
8/29/03	Country Living Mobile Home Park	5	Order/Penalty	WW	Hansen	6/23/04 – Construction permit issued. Settlement offer will be made. 9/04 – Status report from Dept. engineer requested regarding project construction status. 10/05 – Status report requested from Dept. engineer. 11/05 – Facility upgrade completed. New NPDES permit requested for upgraded facility. 12/16/05 – Settlement offer received from MHP attorney.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

June, 2006

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
9/05/03	Strawberry Point, City of	1	Order/Penalty	WW	Hansen*	1/5/04 – City to upgrade facilities, compliance will be monitored through 2005.
10/08/03	TEGH, Inc. (03-UT-15)	6	Order/Penalty	UT	Wornson	TEGH, Inc. no longer operator; questionable as a viable corporation. Review options.
10/27/03	B & Food & Gas, Inc. (03-UT-12)	6	Order/Penalty	UT	Wornson	B & H no longer operator; questionable as a viable corporation. Review options.
10/27/03	U.S. Nation Mart, Inc. (03-UT-14)	6	Order/Penalty	UT	Wornson	Proposed settlement terms.
12/02/03	Jeff Holland	2	Order/Penalty	AFO	Clark	Negotiating before filing.
12/15/03	AGP (Emmetsburg)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
12/29/03	T. Patrick Cashman; Laurie Cashman	5	Order/Penalty	AFO	Clark	Negotiating before filing.
1/21/04	Bob Kerrigan	4	Order/Penalty	AFO	Clark	Negotiating before filing.
1/30/04	John Schmall d/b/a Carpenter Bar & Grill	2	Order/Penalty	WS	Hansen	2/26/04 – Letter to WS attorney regarding resolving appeal. 9/04 – Per WS section, facility has returned to compliance.
2/09/04	Swine USA, LP	5	Order/Penalty	AFO	Clark	Negotiating before filing.
2/16/04	Iowa Ethanol, LLC; Reilly Construction Co., Inc.	2	Order/Penalty	WW	Clark*	Meeting held 4/07/04.
2/17/04	Broin & Assoc., Inc. aka Otter Creek Ethanol, LLC	3	Order/Penalty	WW	Clark*	Meeting held 4/07/04.
2/17/04	Broin & Assoc., Inc. aka Iowa Ethanol, LLC	2	Order/Penalty	WS/WW	Clark*	Meeting held 4/07/04.
2/18/04	Gettler Dairy, Inc.; Dave and Kristen Gettler	4	Order/Penalty	AFO	Clark	Negotiating before filing.
3/04/04	Tim Trostel	2	Order/Penalty	AFO	Clark	Negotiating before filing.
3/15/04	Iowa Falls, City of	2	Order/Penalty	WW	Hansen	6/04 – Dept. letter to City attorney regarding settlement.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

June, 2006

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
3/16/04	Axtell Finishers; James Axtell	2	Order/Penalty	AFO	Clark	7/29/04 – Dept. reject Axtell's settlement offer and inquires if immediate transfer to DIA is desired.
4/02/04	LeMars, City of	3	Order/Penalty	WW	Hansen	4/02/04 – Meeting held to discuss settlement. 1/05 – Tentative agreement reached on settlement.
4/08/04	Silver Creek Feeders	4	Permit Conditions	AFO	Clark	Negotiating before filing.
4/16/04	Ag Processing Inc. (Sheldon)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
4/16/04	Ben Haven Mobile Home Park	1	Order/Penalty	WS	Clark	Negotiating before filing.
5/12/04	Ag Processing, Inc.	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
5/18/04	Alton, City of	3	Order/Penalty	FP	Clark	Negotiating before filing.
5/25/04	CDI, LLC	6	Permit Conditions	AQ	Preziosi	Hearing set for 6/12/06. Pre-hearing conference set for 5/02/06.
5/27/04	CDI – Charles City	2	Permit Conditions	AQ	Preziosi	Hearing set for 6/12/06. Pre-hearing conference set for 5/02/06.
6/11/04	University of Iowa	6	NPDES Permit	WW	Hansen	Negotiating before filing.
6/18/04	CDI – Charles City	2	Title V Permit Determination	AQ	Preziosi	Hearing set for 6/12/06. Pre-hearing conference set for 5/02/06.
6/18/04	Phillip Renze	3	Order/Penalty	AFO	Clark	Negotiating before filing.

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**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
June, 2006**

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
6/24/04	Jansma Cattle Co., Inc.	3	Order/Penalty	AFO	Tack*	Negotiating before filing.
6/28/04	Michael Veenstra; Alan Veenstra	5	Order/Penalty	AFO	Clark	Negotiating before filing.
6/28/04	Robin Hewer	6	Order/Penalty	AFO	Book	Hearing rescheduled for 6/30/06.
6/28/04	Marvin Bates	6	Order/Penalty	AQ/SW/ WW	Tack	Request for hearing sent to DIA on 4/13/06.
8/06/04	Eldora, City of	1	Permit Conditions	WW	Hansen	WW Permits drafted NPDES permit with revised permit limits and compliance schedule. Legal Services to draft amended order with interim limits.
9/29/04	EnviroBate	4	Order/Penalty	AQ	Book	Waiting on response from company.
10/08/04	Goose Lake, City of	6	Order/Penalty	WS	Hansen	To be set for hearing.
10/12/04	Gary Hart	6	Order/Penalty	AQ/SW	Tack	Cleaning up property.
10/13/04	Charlie Van Meter; Van Meter Feedyard	5	Permit Conditions	WW	Clark	Negotiating before filing.
10/19/04	Cedar Rapids, City of	1	Order/Penalty	WW	Hansen*	To be set for hearing.
10/21/04	Eugene Kramer	1	Permit Denial	WR	Clark	Negotiating before filing.
10/26/04	Monty Unkrich	6	Order/Penalty	AFO	Book	Hearing rescheduled for 6/30/06.
10/26/04	Puck Custom Enterprises; Natural Pork Production	4	Order/Penalty	AFO	Tack	Request for hearing sent to DIA on 4/13/06.
11/02/04	Mike Elsbernd	1	Order/Penalty	AFO	Book	Order and penalty affirmed.
11/10/04	Ted T. Smith	3	Order/Penalty	AFO	Clark	Negotiating before filing.
12/06/04	Jerry Vander Platts	3	Order/Penalty	AFO	Book	Order and majority of penalty affirmed.
12/10/04	IPSCO, Inc.	6	Permit Conditions	AQ	Preziosi	Hearing set for 5/09/06. Motion to compel, discovery filed. Pre-hearing conference set for 4/25/06.
1/05/05	S.J. Louis Construction	5	Order/Penalty	WW	Hansen	To be set for hearing.

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**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
June, 2006**

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
1/18/05	MKKS, LC (5 sites)	5	Order/Penalty	UT	Wornson	Settlement conference scheduled for October.
1/20/05	Pleasant Hill, City of	5	Order/Penalty	WW	Hansen	4/08/05 – Meeting with City regarding appeal and settlement. City made settlement offer regarding penalty. Offer rejected by DNR. City to provide further response by 5/05. No response received. To be set for hearing.
1/20/05	Monty Branstad	2	Order/Penalty	AQ/SW	Preziosi	Amended order issued. 3/28/06 – Amended order appealed. Setting up settlement meeting.
1/24/05	Lawler, City of	4	Order/Penalty	WW	Hansen	Negotiating before filing.
2/04/05	Honey Creek Campground	4	Order/Penalty	WW	Hansen	12/07/05 – Telephone call with Honey Creek attorney regarding hearing and compliance issues. 3/22/06 – Meeting at FO 4 with wastewater owner and attorney. 4/5/06 – FO4 inspection of campground.
2/17/05	CDI, LLC	2	Permit Conditions	AQ	Preziosi	Hearing set for 6/12/06. Pre-hearing conference set for 5/2/06.
2/24/05	Mt. Joy Mobile Home Park	1	Order/Penalty	WW	Hansen	Negotiating before filing.
3/08/05	Randy Griffin	5	Order/Penalty	AQ/SW	Tack	Clean-up underway.
3/16/05	S.K. Food and Gas, Inc.; DIWAN LLC 05-UT-02/Brady St., Davenport 8606991	6	Order/Penalty	UT	Wornson	Refer to DIA to be set for hearing.
3/16/05	S.K. Food and Gas, Inc.; DIWAN LLC 05-UT-02/Brady St., Davenport 8606991	6	Order/Penalty	UT	Wornson	Refer to DIA to be set for hearing.
3/23/05	IPSCO (Muscatine)	6	Permit Conditions	AQ	Preziosi	Hearing reset for 5/09/06. Pre-hearing conference set for 4/25/06.
3/25/05	Hoover Land Corp.	2	Order/Penalty	WS	Hansen	Negotiating before filing.
3/25/05	Colleen Weber	2	Order/Penalty	AQ/SW	Tack	Proposed decision upholding order issued on 4/04/06. Appeal to EPC filed on 4/21/06.
4/04/05	Ruby Field; Ed Grafke	6	Order/Penalty	UT	Wornson	Settlement conference 10/27/05. UST closed in Dec., reserved penalty settlement.

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**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

June, 2006

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
4/05/05	Dirk D. Graves	4	Order/Penalty	AQ	Tack	Clean –up underway.
5/02/05	Goettsch Trucking and Seed Co.	3	Order/Penalty	HC	Wornson	Negotiating before filing.
5/25/05	Iowa Quality Beef Cooperative	5	Order/Penalty	WW	Hansen	Negotiating before filing.
8/05/05	Scott Lenz	4	Order/Penalty	AFO	Book	Meeting on hold due to other violations.
8/11/05	Douglas Pudenz	4	Order/Penalty	AFO	Book	Meeting held 1/11/06.
11/21/05	CDI, LLC	2	Construction Permit	AQ	Preziosi	Negotiating before filing.
1/27/06	Gold Key Motel	2	Order/Penalty	WS	Hansen	4/25/06 – Settlement offer discussed with WS owner rejected.
2/16/06	Maridale Farms LLC	3	Order/Penalty	AFO	Book	Negotiating before filing.
2/27/06	Greig & Co., Inc.	3	NPDES Permit	WW	Clark	Negotiating before filing.
3/23/06	Larry Krogman	3	Order/Penalty	AFO	Book	Negotiating before filing.
3/28/06	Jordan Branstad; Edward Branstad	2	Order/Penalty	AQ/SW	Preziosi	Negotiating before filing.
4/07/06	Alan Bakker	3	Order/Penalty	AFO	Book	New case.

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